

UNITED STATES DISTRICT COURT

for the

District of New Mexico

2019 JAN 18 PM 2:59

CLERK - LAS CRUCES

United States of America

v.

Samuel Gilpin

Case No.

19-122 MJ

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 28, 2017 in the county of Doña Ana and elsewhere in the
District of New Mexico, the defendant(s) violated:

Code Section


18 U.S.C. § 844(e)

Offense Description

Malicious Threat to Injure by Fire or Explosive

This criminal complaint is based on these facts:

See attached "Affidavit"

☒ Continued on the attached sheet.


Complainant's signature

David M. Noordeloos, Special Agent DSS

Printed name and title

Sworn to before me and signed in my presence.

Date:

1/18/19

City and state:

Las Cruces, New Mexico



Judge's signature

Honorable Gregory J. Fouratt, US Magistrate Judge

Printed name and title

Attachment A

I, David M. Noordeloos, being first duly sworn, hereby depose and state as follows:

INTRODUCTION

I am a Special Agent (SA) with the United States Department of State, Diplomatic Security Service (DSS) and am currently assigned to the Office of Protective Intelligence Investigations at DSS Headquarters in Arlington, Virginia. I have served as a Special Agent since 2002 and was a municipal police officer in Michigan from 1996 to 2002. I have conducted many investigations regarding violations of United States Code, which have focused on fraud and threats to United States Government officials, and have previously served in a number of assignments located at U.S. embassies and consulates overseas. I completed the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia, as well as DSS agency-specific training throughout my time as a SA. The latter has afforded me training in such areas as interviewing, executing search and arrest warrants, threat assessment and investigations, investigations involving a nexus to international diplomacy, and training for service as a Regional Security Officer at U.S. diplomatic facilities abroad. Based on my own experience and in discussions with other SAs and investigators, I have learned additional information about criminal threat and harassment investigations, crimes involving diplomatic personnel within and outside of the United States, as well as the use of digital devices in committing related crimes. My training, education, experience, and discussions with other SAs have afforded me familiarity with the operations and management of Department of State protective security details, both within the United

States and overseas, the context within which a threat and the actions necessary to resolve it must be taken in these environments, the political and legal sensitivities that may be involved with a crime involving diplomatic personnel, and the long-term trend analysis of a threat investigation. As a SA, I have participated in the execution of federal search warrants, including for items sent via the mails or via electronic devices.

FACTS

The Diplomatic Security Service began an investigation of Samuel GILPIN in August 2018 after GILPIN began making repeated harassing, intimidating, and threatening phone calls to the United States Embassy in Kuwait City, Kuwait.

Additionally, in January 2019, the Diplomatic Security Service was informed of activity that began on December 31, 2018, where GILPIN separately approached multiple associates of a Veteran's Affairs (VA) employee who had worked with GILPIN in the past. During these in-person contacts, GILPIN advised these individuals that he held the VA employee responsible for ending his marriage, taking away his children, and stated he wanted to kill the VA employee. The investigation found that GILPIN had previously received mental health treatment from the VA, but was removed from a treatment program due to non-compliance with program guidelines.

The DSS investigation also found that on July 28, 2017, an individual who self-identified as Samuel GILPIN called the Doña Ana County, New Mexico County Clerk's office and threatened to "blow up" the county building due to a complaint that he had received notification about his voter status because he appeared to be registered to vote in both Oregon and New Mexico. The Doña Ana County New Mexico County Clerk's Office had sent GILPIN a cross state voter notice giving him the opportunity to request

the cancellation of his voter registration in the State of New Mexico because he was also registered to vote in Oregon. Because of this, GILPIN was upset. During this telephone call, in which he spoke with an employee of Doña Ana County, New Mexico, he verbally informed the employee multiple times that he was going to come to the county building, "shoot up everyone around," and then he was going to "blow up" the county building. GILPIN also made comments that "people that live in New Mexico are terrorists and the personnel at the clerk's office were terrorists as well." GILPIN further stated that he had "worked with the military and was upset with them because they did him wrong." The Doña Ana County Sheriff's Office immediately responded by clearing the building.


The investigation by the Doña Ana County Sheriff's Office found GILPIN has an address in Las Cruces, New Mexico, but was residing in Drain, Oregon, at the time of the telephonic threat. As part of this investigation, Doña Ana County Sheriff's investigators spoke with law enforcement personnel in Douglas County, Oregon, who advised that GILPIN was "constantly calling in" to the Douglas County, Oregon Sheriff's Office and "threatening to start an active shooter situation and many other violent threats." The Doña Ana County New Mexico Sheriff's Office then obtained a local arrest warrant for GILPIN for the State of New Mexico charge of Bomb Scares Unlawful.

On the evening of July 28, 2017, the Douglas County, Oregon Sheriff's Office contacted the Doña Ana County New Mexico Sheriff's Office and advised that they had arrested GILPIN in Douglas County, Oregon on the above listed warrant. Post arrest, after being advised of his *Miranda* rights, GILPIN was asked about the threatening phone call. GILPIN admitted that he "called down to Las Cruces," but did not say that he called in a bomb threat.

My investigation found that GILPIN is a United States Air Force veteran who has a criminal charge from March 15, 2003, which resulted from an arrest by the United States Air Force – Office of Special Investigations for Wrongful Use/Possession of Controlled Substance. My investigation reveals that as a result of this charge, GILPIN was reduced to the lowest enlisted military rank and processed for discharge from the U.S. Air Force.

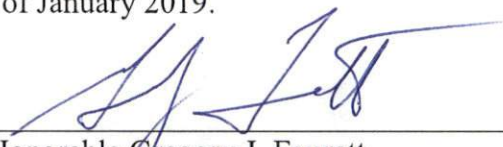
Based upon the facts contained in this affidavit, I believe there is probable cause to support the following criminal charge against Samuel GILPIN: On July 28, 2017, Samuel GILPIN did commit the crime of using the telephone to maliciously convey a threat to shoot up individuals and blow up the Doña Ana County Building in Las Cruces, New Mexico in violation of Title 18, U.S.C. § 844(e).

Prosecution of Samuel GILPIN was approved by Assistant United States Attorney Marisa A. Ong.



David M. Noordeloos
Special Agent
Diplomatic Security Service

Subscribed and sworn before me this 18th day of January 2019.



Honorable Gregory J. Fouratt
United States Magistrate Judge